State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, **2010**

400R0213

SENATE BILL **NO.** **34**

Introduced by: The Committee on Transportation at the request of the Department of
Revenue and Regulation

1   FOR AN ACT ENTITLED, An Act to provide for the staggered registration of intrastate and

2   interstate commercial motor vehicles.

3   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4   Section 1. That chapter 32-9 be amended by adding thereto a NEW SECTION to read as

5   follows:

6   The annual registration of all intrastate commercial vehicles shall be staggered in accordance

7   with the provisions set forth in §§ 32-5-2.1, 32-5-2.2 and 32-5-2.4.

8   Section 2. That chapter 32-10 be amended by adding thereto a NEW SECTION to read as

9   follows:

10   Each interstate motor carrier registering a vehicle under the provisions of chapter 32-10 shall

11   be allowed to select a renewal month of February, May, August, or November. Each license

12   plate or validation decal issued on a staggered basis shall expire on the last day of the month

13   assigned for the renewal. If no renewal month is selected by the motor carrier or the department

14   cannot accommodate the renewal month selected, a renewal month shall be assigned by the

15   department. Each fleet assigned to the motor carrier shall be registered or renewed in the same

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Insertions into existing statutes are indicated by <u>underscores</u>.
Deletions from existing statutes are indicated by ~~overstrikes~~.

1   renewal month.

2   Section 3. That § 32-9-16 be amended to read as follows:

3   32-9-16. Payment of the annual commercial motor vehicle fee shall be made before

4   beginning an operation or ~~between October first and December thirty-first of the year preceding~~

5   ~~its use~~ anytime within ninety days prior to the vehicle's registration date. A commercial motor

6   vehicle plate ~~may be displayed prior to January first of the year for which it was issued, but shall~~

7   ~~be displayed after midnight on December thirty-first of the preceding year. A law enforcement~~

8   ~~officer may only issue a warning for failure to display a valid registration between January first~~

9   ~~to January fifteenth, inclusive. In order to qualify for this grace period, the vehicle shall have~~

10   ~~been registered in the preceding year~~ shall be displayed prior to beginning operation and during

11   operation.

12   A violation of this section is a Class 2 misdemeanor.

13   Section 4. That § 32-9-17 be amended to read as follows:

14   32-9-17. ~~All~~ Each commercial motor vehicle ~~plates~~ plate or validation decal, intrastate and

15   interstate, shall be valid from the date of issue to the ~~thirty-first day of December of the year~~

16   ~~specified on the registration~~ last day of the assigned expiration month. If any plate is issued after

17   ~~January first of any year~~ the renewal month, the commercial motor vehicle fee shall be paid only

18   for the unexpired portion of the ~~year~~ registration period. For each full month which has passed

19   before the license is purchased there shall be a one-twelfth reduction of the annual commercial

20   motor vehicle fee. If a vehicle is being commercially licensed for the first time ~~during the~~

21   ~~period, October first through December thirty-first, the applicant may choose to make payment~~

22   ~~for the prorated portion of the year remaining and for the succeeding year and receive a plate~~

23   ~~for the next licensing year~~ and the registration expiration date falls within ninety days, the

24   applicant may choose to make payment for the current period and for the succeeding period and

1   receive a license for the next registration year.

2   Section 5. That § 32-9-16.1 be amended to read as follows:

3   32-9-16.1. ~~Notwithstanding the provisions of § 32-9-16, the~~ The secretary of revenue and

4   regulation may promulgate rules pursuant to the provisions of chapter 1-26 to provide for a

5   staggered registration system.

6   Section 6. That § 32-10-3.2 be amended to read as follows:

7   32-10-3.2. ~~Notwithstanding the provisions of § 32-9-16, the~~ The secretary of revenue and

8   regulation may promulgate rules pursuant to the provisions of chapter 1-26 to provide for a

9   staggered registration system.